

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:	:	Case No. 1-20-00841
	:	
CRAIG B. DEIMLER,	:	
WILLIAM OLIVER FISHER-DEIMLER,	:	
Debtors	:	Chapter 13
CRAIG B. DEIMLER,	:	
WILLIAM OLIVER FISHER-DEIMLER,	:	
Movants/Objectors,	:	OBJECTION TO CLAIM #34
v.	:	
	:	
JOHN AND CINDY SIMPKINS,	:	
Respondents/claimants	:	

DESIGNATION OF RECORD AND STATEMENT OF ISSUES ON APPEAL

AND NOW, TO WIT, this 14th day of April 2021, come John and Cindy Simpkins, Appellants, and file this document as follows:

DESIGNATION OF RECORD

1.	2020-03-04	Docket #1	Chapter 13 voluntary petition
2.	2020-03-10	Docket #17	Statement of Financial Affairs
3.	2020-03-12	Docket #20	Schedules A-J, Summary, Declaration
4.	2020-05-13	Docket #40	Amendment to Schedules E-F
5.	2020-05-12	Claims Register #34	Proof of Claim by John & Cindy Simpkins
6.	2020-06-24	Docket #57	Objection to Claim #34 of John & Cindy Simpkins
	(with attachment)		
7.	2020-07-21	Docket #62	Answer to Objection to Proof of Claim #34

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| 8. | 2020-11-09 | Docket #110 | Brief in Support of Objection to Proof of Claim #34 |
| 9. | 2020-11-11 | Docket #112 | Exhibit (contract, invoice, cashed checks) |
| 10. | 2020-12-22 | Docket #125 | Amended Brief in Opposition to Objection to Proof of Claim #34 |
| 11. | 2021-03-23 | Docket #167 | Opinion of the Court |
| 12. | 2021-03-24 | Docket #170 | Order sustaining Objection to Claim #34 |
| 13. | 2021-04-02 | Docket #172 | Notice of Appeal |

STATEMENT OF ISSUES TO BE PRESENTED

1. Whether the trial court erred in sustaining the objection to Proof of Claim #34 (thus disallowing the Claim in its entirety).
2. Whether the trial court erred in precluding Appellants from presenting the omitted information as evidence in any contested matter or adversary proceeding pursuant to Rule 3001(c)(2)(D)(i) based on a failure to provide notice and hearing of/on same.

Respectfully submitted,

AUSTIN LAW FIRM LLC

By: /s/ Sara A. Austin

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Counsel for Appellants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on April 14, 2021, a true and correct copy of the foregoing document filed in the above-captioned matter was or will be served by electronic means on the following:

Kara Gendron, Esq.
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Counsel for Appellees

s/ Sara A. Austin
Sara A. Austin, Esquire